

**RECEIVED  
CENTRAL FAX CENTER****AUG 04 2005****FACSIMILE COVER SHEET****BRINKS  
HOFFER  
GILSON  
& LIONE**

Date: August 4, 2005

To: Examiner Mai Huong C. Tran  
Fax No: 571-273-8300A Professional Corporation  
Intellectual Property AttorneysFrom: John G. Rauch  
Tel. No: 312-321-4288NBC Tower - Suite 3600  
455 N. Cityfront Plaza Drive  
Chicago, Illinois 60611-6599  
Facsimile 312-321-4299  
Telephone 312-321-4200

Client No: 10808/144

No. of Pages  
(inc. this page): 4San Jose, CA  
Indianapolis, IN  
Detroit, MI  
Toledo, OH  
Arlington, VAConfirmation Copy To Follow: Yes ☐ No ☒IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,  
PLEASE CALL 312-321-4200 AND ASK FOR: Brenda Skinner, ext. 4488

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

**COVER MESSAGE:**RE: U.S. SERIAL NO. 10/501,430  
PLEASE DELIVER TO EXAMINER Mai Huong C. Tran  
GROUP ART UNIT NO. 2818

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8			
I hereby certify that this correspondence, totaling <u>4</u> pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-275-6300 (Central number) on the below date:			
Date: <u>8/4/05</u>	Name: <u>John G. Rauch</u>	Signature: <u>[Signature]</u>	

**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Franz Schuler, et al.

Appln. No.: 10/501,430

Filed: January 7, 2005

For: NON-VOLATILE TWO TRANSISTOR  
 SEMICONDUCTOR MEMORY CELL AND  
 METHOD FOR PRODUCING THE SAME

Examiner: Tran, Mai Huong C.

Art Unit: 2818

Attorney Docket No: 10808/144

Mail Stop Amendment  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

### TRANSMITTAL

**Attached is/are:**

- ☒ Response to Restriction Requirement (2 pages)  
☐ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$ \_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$ \_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

				Small Entity		Not a Small Entity	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Add'l Fee
Total	Minus			x \$25=			x \$50=
Indep.	Minus			x 100=			x \$200=
First Presentation of Multiple Dep. Claim				+ \$180=			+ \$360=
				Total	\$	Total	\$

**Fee payment:**

- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$ \_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

[Signature]  
 John G. Rauch (Reg. No. 37,218)

Date: 8/4/05

**RECEIVED**  
**CENTRAL FAX CENTER**  
**AUG 04 2005**

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8		
I hereby certify that this correspondence, totaling <u>4</u> pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9506 (Central number) on the below date:		
Date: <u>August 4, 2005</u>	Name: <u>John G. Ranch</u>	Signature: <u>[Signature]</u>

Our Case No. 10808/144  
Client ref. In1222WOUS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Franz Schuler, et al. )  
Serial No. 10/501,430 ) Examiner: Tran, Mai Huong C.  
Filing Date: January 7, 2005 ) Group Art Unit No. 2818  
For NON-VOLATILE TWO )  
TRANSISTOR SEMICONDUCTOR )  
MEMORY CELL AND METHOD )  
FOR PRODUCING THE SAME )

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

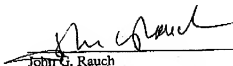
Dear Sir:

In response to the Office Action dated July 6, 2005, applicants elect **Group II, claims 8-16**. Group I, claims 1-7, are withdrawn from prosecution. Applicants reserve the right to file one or more divisional applications directed to the invention defined by claims 1-7.

Application no. 10/501,430  
Response dated: August 4, 2005  
Reply to office action dated: July 6, 2005

With this response, the application is believed to be in condition for further action on the merits. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200